

### **Remarks**

By this Amendment, claims 1, 7, 18, 24, 33, and 37 are amended, leaving claims 2-6, 8-17, 19-23, 25-32, 34-36, and 38-40 unchanged. No new matter has been added by this Amendment. The Applicants thank the examiner for the allowance of claims 13-17 and 29-32, and respectfully request reconsideration of claims 1-12, 18-28, and 33-40.

With respect to the present Office action, claims 7-12, 24-28, and 37-40 were objected to as being dependent upon a rejected base claim. By this Amendment, claims 7, 24, and 37 have been rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 37 is also amended to replace the term "capacitor," which lacked proper antecedent basis, with the term "storage device." The Applicants respectfully request allowance of claims 7, 24, and 37.

Claims 8-12 are each ultimately dependent from amended claim 7, and are allowable based upon amended claim 7 and upon other reasons not discussed herein. Claims 25-28 are each ultimately dependent from amended claim 24, and are allowable based upon amended claim 24 and upon other reasons not discussed herein. Claims 38-40 are each ultimately dependent from amended claim 37, and are allowable based upon amended claim 37 and upon other reasons not discussed herein. Allowance of claims 8-12, 25-28, and 38-40 is respectfully requested.

### **Claim Rejections – 35 U.S.C. § 103**

With respect to the present Office action, claims 1-6, 18-23, and 33-36 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,745,513 (McMurray) in view of U.S. Patent No. 5,339,210 (Howell). Reconsideration of the rejection is respectfully requested.

To establish a *prima facie* case of obviousness under Section 103, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest

all the claim limitations. M.P.E.P. § 2143. The Applicant respectfully submits that the combined teachings of McMurray and Howell fail to meet this criteria.

Amended claim 1 recites a control circuit having a contactor circuit and a snubber circuit. The snubber circuit has a first sub-circuit including a resistor and a first non-linear device electrically connected in parallel branches, and a second sub-circuit electrically connected in series with the first sub-circuit and including an energy storage device and a second non-linear device electrically connected in parallel branches (as well as additional limitations). McMurray, Howell, or the combination thereof do not teach, describe or suggest a control circuit as recited in amended claim 1.

As indicated in the present Office action, McMurray, Howell, and the references cited do not teach or fairly suggest a control circuit including a snubber circuit having a non-linear device and an energy storage device electrically connected in parallel branches (as well as other limitations), as recited in amended claim 1. Accordingly, claim 1 contains allowable subject matter and the rejection of claim 1 should be reconsidered.

Claims 2-6 are each ultimately dependent from amended claim 1, and are allowable based upon amended claim 1 and upon other reasons not discussed herein.

Amended claim 18 recites a vehicle including a motor and a control circuit having a first sub-circuit including a resistor and a first non-linear device electrically connected in parallel branches, and a second sub-circuit electrically connected in series with the first sub-circuit and including an energy storage device and a second non-linear device electrically connected in parallel branches (as well as other limitations). McMurray, Howell, or the combination thereof do not teach, describe or suggest a control circuit as recited in amended claim 18.

As stated previously, the present Office action indicates that McMurray, Howell, and the references cited do not teach or fairly suggest a vehicle having a control circuit including a non-linear device electrically connected in parallel branches with an energy storage device (as well as other limitations), as recited in amended claim 18. Accordingly, claim 18 contains allowable subject matter and the rejection of claim 18 should be reconsidered.

Claims 19-23 are each ultimately dependent from amended claim 18, and are allowable based upon amended claim 18 and upon other reasons not discussed herein.

Amended claim 33 recites a method of suppressing arcing in a contactor circuit including providing a snubber circuit including a first sub-circuit and a second sub-circuit electrically connected in series, the first sub-circuit including a first branch having a resistor and a second branch having a first non-linear device, and the second sub-circuit having a third branch having a second non-linear device and a fourth branch having a storage device, breaking the electrical connection of the contacts, generating a first current in response to the breaking of the electrical connection, allowing a substantial portion of the first current to flow through the non-linear device, and charging the energy storage device with energy of the first current (as well as additional limitations). McMurray, Howell, or the combination thereof do not teach, describe or suggest a control circuit as recited in amended claim 1.

Again, the present Office action indicates that McMurray, Howell, and the references cited do not teach or fairly suggest a method of suppressing arching in a contactor circuit including providing a snubber circuit having a non-linear device and an energy storage device electrically connected in parallel branches (as well as other limitations), as recited in amended claim 33. Accordingly, claim 33 contains allowable subject matter and the rejection of claim 18 should be reconsidered.

Claims 34-36 are each ultimately dependent from amended claim 33 and are allowable based upon amended claim 33 and upon other reasons not discussed herein.

In light of the amendments and remarks above, the Applicants respectfully request entry of this Amendment and the allowance of claims 1-12, 18-28, and 33-40. Again, the Applicants thank the Examiner for the allowance of claims 13-17 and 19-32. The undersigned is available for telephone consultation at any time.

Respectfully submitted,



Elizabeth A. Egasti  
Reg. No. 54,635

Docket No.: 020529-9031-01  
Michael Best & Friedrich LLP  
3773 Corporate Parkway Suite 360  
Center Valley, Pennsylvania 18034

610-798-2170